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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,149	12/28/2001	Andreas Dieberger	ARC920010060US1	1632

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EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/034,149

Applicant(s)

DIEBERGER ET AL.

Examiner

Ryan F Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,5-8,11,17-21 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-8,11,17-21 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

This communication is responsive the amendments filed on 3/9/2005. Claims 1,5-8,11,17-21, and 28-30 are pending. Claims 2-4,9-10,12-16,22-27 have been cancelled. Claims 1,5-8,11,17-21, and 28-30 have been amended. This action is Final.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 19,21 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Qureshi et al ("Qureshi", US# 2002/0140724) in view of Smith ("Smith", US# 2001/0012002A1).

As per independent claim 1, Qureshi discloses a method for managing presentation of a computer-based slide show, comprising the steps of: portraying at least some of a plurality of slides as a sequential arrangement of corresponding cells visually depicting slide data in a summary view in a graphical user interface (Figure 5); furnishing time data describing said presentation of said slide show in said summary view (Figure 5 item 8); and selecting at least one of said slides for display in said graphical user interface (Figure 5 item 1). Qureshi fails to disclose slide data being substantially transparent. However, Smith teaches substantially transparent data ([0039] lines 13-20). Therefore it would have been obvious to an artisan at the time of the

invention to include the teaching of Smith in the system of Qureshi. Motivation to do so would have been to provide data to a user so that the underlying source is still visible to the user.

As per claim 19, which is dependent on claim 1, Qureshi-Smith discloses a method where a hierarchy of the sequential arrangements enables depiction of an increased number of slides (Figure 5 item 6).

As per claim 21, which is dependent on claim 1, Qureshi-Smith discloses a method wherein the summary view portrays a thumbnail version of a brushed slide corresponding to a brushed cell (Figure 5 item 6; *a graphical representation of slides with traversal through a scroll bar*).

As per independent claim 28, Qureshi-Smith discloses a system for managing presentation of a computer based slide show, comprising: a computer including a cpu (Figure 1 item 120), an internal memory (Figure 1 item 130), a data storage device (Figure 1 item 140), and input device (Figure 1 item 140); and a display device (Figure 1 item 191), for portraying at least some of a plurality of slides as a sequential arrangement of corresponding cells visually depicting slide data in a substantially transparent (Smith, [0039] lines 13-20) summary view in a graphical user interface (Figure 5 item 6), wherein said summary view furnishes time data describing said presentation (Figure 5 item 8) and wherein at least one of said slides is selected for display in the graphical user interface using said input device (Figure 5 item 6; slide 11).

As per independent claim 29, Qureshi-Smith discloses a system for managing presentation of a computer-based slide show, comprising: means for portraying at least

some of a plurality of slides as a sequential arrangement of corresponding cells visually depicting slide data in a substantially transparent (Smith, [0039] lines 13-20) summary view in a graphical user interface (Figure 5 item 6); means for furnishing time data describing said presentation of said slide show in said summary view (Figure 5 item 8); and means for selecting at least one of said slides for display in the graphical user interface (Figure 5 item 1).

Claim 30 is similar in scope to claim 29, and is therefore rejected under similar rationale.

3. Claims 5-8 rejected under 35 U.S.C. 103(a) as being unpatentable over Qureshi et al ("Qureshi", US# 2002/0140724) and Smith ("Smith", US# 2001/0012002A1) in view of Microsoft ("Microsoft", "PowerPoint").

As per claim 5, which is dependent on claim 1, Qureshi-Smith fails to disclose highlighting by color. However, Microsoft discloses a method wherein said cells visually depict said slide data using at least one of: colors, shading patterns (Figure 3 item 50). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Microsoft with the system of Qureshi-Smith. Motivation to do so would have been to provide a visual way of depicting the individual cells.

As per claim 6, which is dependent on claim 1, Qureshi-Smith-Microsoft discloses a method wherein slide data includes one of: which of the slides has been displayed for more than a predetermined duration, which of the slides is a critical slide,

which of the slides is an example slide, which of the slides is a hidden slide (Microsoft, Figure 2 item 30).

As per claim 7, which is dependent on claim 1, Qureshi-Smith-Microsoft discloses a method wherein slide data includes which of said slides has an enhancement portion including at least one of: a multimedia document, a hyper link, and audio file (Microsoft, Figure 4 item 60).

As per claim 8, which is dependent on claim 1, Qureshi-Smith-Microsoft discloses a method wherein time data includes a total display time for each of the slides (Microsoft, Figure 5).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Qureshi et al ("Qureshi", US# 2002/0140724) and Smith ("Smith", US# 2001/0012002A1) and Microsoft ("Microsoft", "PowerPoint") in view of Blades et al ("Blades", US#5,990,888).

As per claim 11, which is dependent on claim 8, Qureshi-Smith-Microsoft fails to disclose displaying the time data as a histogram. However, Blades teaches displaying information as a histogram (Column 5 lines 44-47). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Qureshi-Smith-Microsoft with the teaching of Blades. Motivation to do so would have been to provide a simple and easy to understand way of displaying the information.

5. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Qureshi et al ("Qureshi", US# 2002/0140724) and Smith ("Smith", US US# 2001/0012002A1) in view of Tada ("Tada", US# 5,963,143).

As per claim 17, which is dependent on claim 1, Qureshi-Smith fails to distinctly point out a warning for time limits. However, Tada teaches a method comprising the step of warning a presenter when a time limit is approaching by performing at least one of these steps: changing a color of a visual indicator, flashing said visual indicator, triggering an audible signal, triggering a tactile signal (Column 3 lines 34-39). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Qureshi-Smith with the teaching of Tada. Motivation to do so would have been to provide a system to inform the presenter of a certain status.

As per claim 18, which is dependent on claim 17, Qureshi-Smith-Tada discloses a method wherein the tactile signal is generated by at least one of a vibrational bracelet, a vibrational necklace, a vibrational pager (Tada, Column 6 lines 3-4).

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Qureshi et al ("Qureshi", US# 2002/0140724) and Smith ("Smith", US# 2001/0012002A1) in view of Allen et al ("Allen", US#5,500,936).

As per claim 20, which is dependent on claim 1, Qureshi-Smith fails to expressly point out keystrokes for the showing/hiding of the summary view. However, Allen teaches a method wherein a presenter keystroke triggers generation of the summary view (Column 6 lines 11-14) and another presenter keystroke triggers removal of the

summary view (Column 6 lines 25-30). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Qureshi-Smith with the teaching of Allen. Motivation to do so would have been to provide a simple way of accessing the interface.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1,5-8,17,18,21 and 28-30 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments in respect to claims 11, 19 and 20 filed 3/9/2005 have been fully considered but they are not persuasive.

As per claim 19, the applicant argues that Qureshi fails to teach a sequential arrangement of cells, and instead teaches thumbnails. Since a cell is not defined by the specification, the Examiner is to take the broadest reasonable interpretation, which in this case is a rectangular space for holding a value, text, or image. While the Examiner agrees that thumbnails are being portrayed, a cell is also taught by Qureshi that holds the thumbnail images.

As per claim 21, the Applicant argues that Qureshi does not teach displaying a thumbnail when a cell is brushed. Since, thumbnails are persistently displayed as pointed out by the Applicant, upon brushing a cell, the thumbnail is displayed.



As per claim 11, the Applicant disqualified Blades as prior art. However, in this case, the prior art reference qualifies under 35 U.S.C. 102(b), and does not apply to the rejections under 35 U.S.C. 102(e)/103. See MPEP 706.02(I)(1-2). Also Applicant argues that Qureshi nor Blades teaches nor suggests displaying slide presentation time data in a histogram. However, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm M-Th, and alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Art Unit 2174  
Patent Examiner

RFP

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